

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

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<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>WILLIAM J. LANIER, STACY L. STEINMETZ, NEIGHBORHOOD HOUSING SERVICES, INC., COLLECTION BUREAU SERVICES, INC., and HILL COUNTY, a political subdivision of the State of Montana,</b>  <b>Defendants.</b>	<b>CV 20-06-GF-BMM-JTJ</b>  <b>ORDER</b>
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Before the Court is Plaintiff United States of America's status report and motion to stay. The United States indicates in its status report that it has not moved for entry of default against any defendant due to current U.S. Department of Agriculture (USDA) policy suspending foreclosure actions during the COVID-19 pandemic. USDA first instituted a moratorium on foreclosures of Single Family Housing Direct Loans on March 19, 2020 and, as of June 23, has extended the moratorium to August 31, 2020. The United States therefore moves to stay this matter pending expiration of the moratorium.

“[A] district court has discretion to stay proceedings in its own court when appropriate.” *Am. Reliable Ins. Co. v. Lockard*, CV 17-04-M-DLC, 2018 WL 9618463, at \*1 (D. Mont. Feb. 14, 2018) (citing *Dependable Hwy. Exp., Inc. v. Navigators Ins. Co.*, 498 F.3d 1059, 1066 (9th Cir. 2007); *Landis v. North American Co.*, 299 U.S. 248, 254 (1936)). “A party seeking a stay must make out a clear case of hardship or inequity in being required to go forward, if there is even a fair possibility that the stay for which he prays will work damage to someone else.” *Id.* at \*2 (citing *Landis*, 299 U.S. at 255). “[S]tays should not be indefinite in nature . . . .” *Id.* (citing *Dependable Hwy. Exp., Inc.*, 498 F.3d at 1066).

The Court finds that good cause exists to stay this matter for a defined period in light of the COVID-19 pandemic, the uncertain personal financial circumstances many individuals face as a result, and USDA’s policy decision to halt foreclosure proceedings as the pandemic continues to develop. Accordingly,

IT IS ORDERED that this matter is hereby STAYED until September 1, 2020. On or before September 8, 2020, and assuming the defendants do not respond to the Complaint in the interim, the United States shall either: (1) seek entry of default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, or (2) file a report apprising the Court of the status of

Single Family Housing Direct Loan foreclosure proceedings and the USDA moratorium.

DATED this 29th day of July, 2020.



John Johnston  
United States Magistrate Judge